Departmental Enquiry
Expenses of witnesses called for giving evidence at -

GOVERNMENT OF MAHARASHTRA
General Administration Department.
Resolution No. CDR 1168-D-I.
Sachivalaya, Bombay-32 (BR), 17th January 1969.
Pausa 27, 1890.

RESOLUTION OF GOVERNMENT

The payment of travelling allowances and other expenses to persons called to give evidence in the departmental enquiry against a Government servant is regulated according to the instructions contained in Government Endorsement, General Administration Department, No. CDR 1160/C-3826-D, dated the 4th November 1961 read with the Bombay Civil Services Rule 536. According to these instructions every person, whether he is a Central or State Government servant or not, who is called to give evidence in the departmental enquiry by the Enquiry Officer, whether at the instance of Government or of the person charged, is entitled to payment of travelling and other expenses. Government is, therefore, pleased to direct that instructions contained in paragraph 13 of Appendix II to the Bombay Civil Services Conduct, Discipline and Appeal Rules, as amended vide Government Resolution, Political and Services Department No. CDR 1156, dated the 28th March 1957, and those contained in paragraph 54 of the Manual of Departmental Enquiries should accordingly be amended so as to read as follows :-

"The officer holding the enquiry has no power to enforce the attendance of witnesses. If the attendance cannot be secured by a mere notice or request to attend, it is clear that the witness is not willing to give evidence. The expenses of every witness, whether he is a Central or State Government servant or not, called to give evidence in the Departmental Enquiry, whether at the instance of Government or the person charged, should be borne by Government and should be regulated according to the provisions of the Bombay Civil Services Rule 536. While calling witnesses at the instance of the person charged, the Enquiry Officer should ensure that they are not called unnecessarily".

By order and in the name of the Governor of Maharashtra,

K.P. NADKARNI,
Deputy Secretary to the Government of Maharashtra,
General Administration Department.

To

The Secretary to the Governor,
The Private Secretary to the Chief Minister,
The Accountant General, Maharashtra, Bombay,

P.T.O.

GCP.ROTA/G.A.D.-H-1271(6,500-1-69)

The Senior Deputy Accountant General, Maharashtra, Nagpur,
The Pay and Accounts Officer, Bombay,
The Resident Audit Officer, Bombay,
The Prothonotary and Senior Master, High Court, Bombay (By letter),
The Registrar, High Court (Appellate Side), Bombay(By letter),
The Special Officer for Departmental Enquiries, Bombay and Poona Divisions, Poona,
The Special Officer for Departmental Enquiries, Nagpur and Aurangabad Divisions, Nagpur,
All other Heads of Departments and Heads of Offices under the several Departments of Secretariat,
The Finance Department,
All other Departments of Secretariat, Bombay-32(BR).

No. of 1969.

Copy forwarded for information and guidance to -

H-1271(6,500-1-69)-a.